

This Substitute Trustee's Deed prepared by and to be returned to:

sent file
Almon M. Ellis
Attorney At Law
7145 Swinnea Rd.
Southaven, Mississippi 38671
(662) 719-8120

Grantor:
Almon M. Ellis
7145 Swinnea Rd.
Southaven, Mississippi 38671
(662) 719-8120 *N/A*

Grantee:
James E. Sandy and Patricia D. Sandy
P.O. Box 273
Southaven, Mississippi 38671
(662) 349-0012 *N/A*

Indexing Instructions: 4.92 Acres in the Southeast Quarter of S19/T2S/R7W

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on the 21st day of June 2010, MICHAEL D. SMITH and wife, KIMBERLY M. SMITH executed a Deed of Trust to ERIC L. SAPPENFIELD, Trustee for the JAMES E. SANDY FAMILY TRUST, which Deed of Trust was recorded in Book 144, Page 3194 of the Land Records of DeSoto County, Mississippi, to secure the payment of a Promissory Note and other indebtedness owed by the said MICHAEL D. SMITH and wife, KIMBERLY M. SMITH to said JAMES E. SANDY FAMILY TRUST as set forth and described in said Deed of Trust; and

WHEREAS, in accordance with the terms and provisions of said Trust Deed, the undersigned, ALMON M. ELLIS, has been substituted as Trustee in the place and instead of ERIC L. SAPPENFIELD, by written instrument of substitution executed by JAMES E. SANDY, of the JAMES E. SANDY FAMILY TRUST on the 13th day of January, 2012, said instrument found at Book 3390, Page 132 of the Land Mortgage Records of DeSoto County, Mississippi; and

WHEREAS, made default in the payment of such Promissory Note and Indebtedness secured by this Deed of Trust and the JAMES E. SANDY FAMILY TRUST, the holder and

owner thereof, made demand of the said that pay said Promissory Note and Indebtedness and the said failed to pay the same or any part thereof, and this default continuing, the JAMES E. SANDY FAMILY TRUST declared the said Promissory Note and other indebtedness secured by the Deed of Trust due and payable and requested of me as such Substitute Trustee to proceed with a sale of and sell the below described property under the provisions of said Deed of Trust; and

WHEREAS, pursuant to such request, I, ALMON M. ELLIS, as such Substitute Trustee proceeded to advertise a sale of the below described real estate at public outcry to the highest and best bidder for cash, within legal hours on the 14th day of February, 2012, at the East Front Door of the County Courthouse of County, Mississippi, by posting a Notice of Sale at the East Front Door of said County Courthouse on the 24th day of January, 2012, and by publishing an identical copy of the Notice of Sale in the DeSoto Times Tribune, a newspaper published and having a circulation in DeSoto County, Mississippi, on the 24, and 31, of January, and the 7th of February, 2012, as evidenced by Proof of Publication of said Notice of Sale hereto attached as Exhibit A; and

WHEREAS, default in payment of such indebtedness continuing, I, ALMON M. ELLIS as such Substitute Trustee, appeared at the East Front Door of the said County Courthouse, between the hours of 11:00 A.M. and 4:00 P.M., and more particularly at 11:30 A.M., on the 14th day of February, 2012, the date and place of sale as named in the said Notice of Sale, and proceeded to offer for sale at public outcry to the highest and best bidder for cash the below described property, when among other bidders there appeared the JAMES E. SANDY and wife, PATRICIA D. SANDY that bid for said property the sum of \$208,500.00, which was the highest and best bid offered for the purchase of the property at this sale and I, ALMON M. ELLIS, as such Substitute Trustee accepted said bid and did sell and convey the property to JAMES E. SANDY and wife, PATRICIA D. SANDY for such bid;

THEREFORE, in consideration of \$208,500.00, this day paid to me as such Substitute Trustee by said JAMES E. SANDY and wife, PATRICIA D. SANDY, I, ALMON M. ELLIS, as such Trustee, sell and convey unto JAMES E. SANDY and wife, PATRICIA D. SANDY the following described property lying and being situate in the County of DeSoto, State of Mississippi, to-wit:

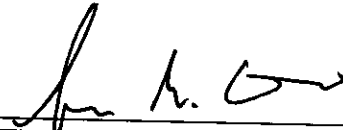
4.92 Acres in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows:

Commencing at an iron pin at the Southeast corner of Section 19, Township 2 South, Range 7 West, in DeSoto County, Mississippi, said point lying near the intersection of the center lines of Swinnea Road and Bankston Road; thence North 03 degrees 19' 10" West 499.25 feet along Swinnea Road to a point; thence South 84 degrees, 54' 40" West 40.00 feet to a point in a 48" oak tree, said point being the Southeast corner of this said tract, and being the POINT OF BEGINNING; thence South 84 degrees 54' 40" West 1,052.06 feet along an old meandering fence line to a 1/2" rebar and a tee post; thence North 02 degrees, 22' 10" West 204.58 feet along an old meandering fence line

to a 3/8" rebar and a tee post; thence North 84 degrees, 57' 05" East 1,048.64 feet to a 3/8" rebar and a tee post; thence South 03 degrees, 19' 10" East 203.71 feet to the Point of Beginning.

I believe title to the above described property to be good but sell and convey as such Substitute Trustee only.

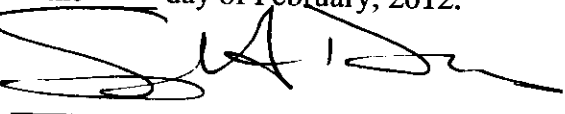
16th IN TESTIMONY WHEREOF, Witness my signature as such Substitute Trustee on the day of February, 2012.


SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority, within and for the County and State aforesaid, the within and above named ALMON M. ELLIS, who acknowledged that as Substitute Trustee in the foregoing Deed of Trust that he signed and delivered the foregoing instrument on the day and year named and for the purposes therein stated.

Given under my hand and seal of office this the 16th day of February, 2012.


NOTARY PUBLIC

My Commission Expires:



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

DIANE SMITH personally appeared before me the undersigned in and for said County and State and states on oath that she is the Clerk of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

**SUBSTITUTE TRUSTEE'S
NOTICE OF SALE**

WHEREAS, on the 21st day of June, 2010, MICHAEL D. SMITH and wife, KIMBERLY M. SMITH executed a Deed of Trust to ERIC L. SAPPENFIELD, as Trustee for the benefit of the JAMES E. SANDY FAMILY TRUST, which Deed of Trust was filed on August 2, 2010 and recorded in Book 144, Page 3194 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and WHEREAS, the JAMES E. SANDY FAMILY TRUST, the current Beneficiary of said Deed of Trust, substituted ALMON M. ELLIS as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument recorded as in Book 3390, Page 132 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, and the entire debt secured thereby having been declared to be due and payable, and the legal holder of said indebtedness, the JAMES E. SANDY FAMILY TRUST, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substitute Trustee's fees and expenses of the sale.

NOW, THEREFORE, ALMON M. ELLIS, Substitute Trustee, will on February 14, 2012, offer for sale at public outcry to the highest bidder for cash, within legal hours (between the hours of 11:00 a.m. - 4:00 p.m.) at the East front door steps of the DeSoto County Courthouse in Hernando, Mississippi, the following described property:

4.92 Acres in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows:

Commencing at an iron pin at the Southeast corner of Section 19, Township 2 South, Range 7 West, in DeSoto County, Mississippi, said point lying near the intersection of the center lines of Swinnea Road and Bankston Road; thence North 03 degrees 19'

Volume No. 117 on the 24 day of Jan., 2012

Volume No. 117 on the 31 day of Jan., 2012

Volume No. 117 on the 7 day of Feb., 2012

Volume No. _____ on the _____ day of _____, 2012

Volume No. _____ on the _____ day of _____, 2012

Volume No. _____ on the _____ day of _____, 2012

BY: Diane Smith

Sworn to and subscribed before me, this 7 day of Feb., 2012

BY: Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



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10° West 499.25 feet along Swinnea Road to a point; thence South 84 degrees, 54' 40" West 40.00 feet to a point in a 48" oak tree, said point being the Southeast corner of this said tract, and being the POINT OF BEGINNING; thence South 84 degrees 54' 40" West 1,052.06 feet along an old meandering fence line to a 1/2" rebar and a tee post; thence North 02 degrees, 22' 10" West 204.58 feet along an old meandering fence line to a 3/8" rebar and a tee post; thence North 84 degrees, 57' 05" East 1,048.84 feet to a 3/8" rebar and a tee post; thence South 03 degrees, 19' 10" East 203.71 feet to the Point of Beginning. ALMON M. ELLIS will convey only such title as vested in him as Substitute Trustee for Almon M. Ellis, Substitute Trustee. Prepared By: Almon M. Ellis, Attorney at Law MS Bar No. 101914 7145 Swinnea Rd., Ste. 2 Southaven, MS 38871 Publication Dates: 1/24/12, 1/31/12, 2/7/12